



September 20, 2005

Mr. Malcolm T. Kerley, P.E., Chief Engineer
Virginia Department of Transportation
1401 E. Broad Street
Richmond, VA 23219

Dear Mr. Kerley:

The Washington Metropolitan Area Transit Authority (WMATA) has reviewed the two proposals for I-95/395 High Occupancy Toll (HOT) Lanes, which the Department's Advisory Panel is evaluating under the implementation guidelines of the Public-Private Transportation Act of 1995. Our comments below are similar to those that we presented to Secretary Clement in November 2004. While they are most similar, we have added others in retrospection of these current proposals.

WMATA supports VDOT's efforts to make the most of the existing transportation infrastructure and future investments by investigating the option of HOT/variable priced lanes. Given the region's limited funding as well as the increasing congestion, it is critical that we work as a region to make the most effective use of existing capacity by providing benefits to carpoolers and transit services.

As you consider the various HOT lane proposals for I-95/I-395, as part of a larger HOT lane network, I would urge you to consider the following comments as you finalize these plans and implementation strategies:

- The HOT/variable priced lanes should be managed so that free flowing conditions are maintained for all HOV vehicles, especially buses. An acceptable level of service should also be provided on the access and egress ramps of the facility.
- Transit services should be considered in the design and construction of the variable priced lanes. Cost estimates and funding plans should include the purchase of buses that will operate on the HOT/variably priced lanes. Also, a new bus maintenance facility in the corridor may be appropriate; its funding is to be discussed.
- The annual operating cost of HOT/variable priced lanes should include the operations and maintenance costs of the facility, debt service, a dedicated portion of revenue for transit subsidies similar to the policy currently in effect on the Dulles Toll Road. There is a concern that the proposed Federal legislation, H.R. 1767, which was introduced in April 2003, might preclude such use of the revenues.
- Buses and HOVs should have direct access ramps (or in-line bus stations with transfers to activity centers where direct access is not feasible) to and from major activity centers and key rail stations on the variable priced lanes so the vehicles do not have to cross several congested general-purpose lanes. In addition, bus service should have:

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Metropolitan Area
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Washington, D.C. 20001
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*By Metrorail:
Judiciary Square-Red Line
Gallery Place-Chinatown
Red, Green and
Yellow Lines*

*A District of Columbia,
Maryland and Virginia
Transit Partnership*

- Clearly designated and accessible stops at activity centers, park and ride lots and transit centers;
 - Direct access to the variable priced lanes from park and ride lots;
 - Signal priority or dedicated bus lanes beyond the access and egress points on the variable priced lanes to circulate efficiently within the activity centers and on arterials; and
 - Possible in-line stations on the variable priced lane facility to permit walk access.
- The toll for non-HOV vehicles should be established to make transit attractive; in other words, it should always be more expensive to use the facility as a non-HOV than to take transit, particularly in those corridors where the HOT/variably priced lane may compete with a major fixed guideway service. For example, the Metrorail fare on the Orange line from Vienna to downtown along I-66 ranges from \$7.25 to \$10.75 round trip, including the parking fee. Therefore, the HOT lane pricing should be at least \$5.50 each way.
 - The Fluor proposal includes elements of a bus rapid transit system and the funding of the system's capital costs and, possibly, operating costs. Any BRT system or an enhanced level of express bus service must evolve from a comprehensive needs assessment and cost-benefit analysis.

Conversion of existing HOV lanes to HOT lanes may have a negative impact on the region's federal formula funding. Currently, HOV lanes miles count as fixed guideway miles in the federal formula for transit funding. Federal Transit Administration (FTA) guidance suggests that HOT lanes (defined by FTA as "exclusive fixed guideway transit facilities that permit toll-paying single occupancy vehicles (SOV) on an incidental basis...") can be counted as fixed guideway miles if the facility is priced to control SOV access so that it does not impede the free flow of transit and HOV vehicles and that toll revenues collected are used for mass transit purposes.

Each year WMATA receives over several million dollars in 5307 funds for 80.1 miles of regional HOV lanes. A significant portion is from the lanes on I-95/I-395, I-495 and I-66 in Virginia. If the criteria listed above are imposed on facilities that would be converted to HOT/variably priced lanes in Virginia, WMATA would lose this 5307 funding each year. In addition, WMATA receives over several million dollars annually of 5309 funding, all from Virginia, which would also be lost under the lane conversions. Unfortunately, the current FTA guidance indicates that the 5309 funds would be lost regardless of the criteria followed in implementing the HOT lanes. If HOT lane/variable priced lane policies adversely effect the funding that WMATA receives to subsidize the rehabilitation and preservation of the Metro system, state and local governments will have to make up the loss in federal funding to WMATA. Or, a hold-harmless provision in the PPTA comprehensive agreement might provide for recovery of any losses that may result from a conversion. We are currently analyzing the financial impacts in conjunction with other recipients of these Federal funds.

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Thank you for considering these service parameters and funding issues as you evaluate the implementation of HOT/variable priced lanes in Virginia. If you have any questions or require additional information, please contact Edward Thomas at (202) 962-2100. I look forward to working with you to achieve a balanced and efficient, multi-modal transportation network in the Washington region.

Sincerely,

Signature on File at VDOT

Richard A. White
General Manager and Chief Executive Officer

cc:
Gregory A. Whirley, Acting VDOT Commissioner
Phil Mendelson, MWCOG/TPB Chairman
Ron Kirby, MWCOG Transportation Planning Director
Dana Kauffman, Fairfax County Board of Supervisors
Catherine Hudgins, Fairfax County Board of Supervisors
Christopher Zimmerman, Arlington County Board of Supervisors
William Euille, Mayor, City of Alexandria